



**CONFIDENTIAL COMMUNICATION: ALL RIGHTS AND PRIVILEGES RESERVED**


November 15, 2023

**Via ECF**

Hon. Ronnie Abrams  
United States District Court Judge  
Thurgood Marshall United States Courthouse  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Application granted. This action is hereby stayed; the parties shall file a joint status letter no later than December 15, 2023.

SO ORDERED.

  
Hon. Ronnie Abrams  
November 16, 2023

Re: *Allied World Assurance Company (U.S.) Inc. vs. Berkshire Hathaway Direct Insurance Company*  
Civil Action No. 1:23-cv-03801-RA

Dear Judge Abrams:

We represent Plaintiff, Allied World Assurance Company (U.S.), Inc. (“Allied World”), in the above-referenced matter. We write jointly with counsel for Defendant, Berkshire Hathaway Direct Insurance Company (“BHDIC”), to provide an update regarding the parties’ settlement-related discussions.

In an Order, dated September 18, 2023, Your Honor granted the parties’ request that this action be stayed for approximately four weeks, until October 16, 2023, so that the parties can continue their settlement-related efforts. In an Order, dated October 17, 2023, Your Honor granted the parties’ request that the stay be extended for an additional 30 days to November 15, 2023.

The parties have exchanged initial demands and responses and are continuing to confer with each other and their respective clients to determine whether a resolution can be reached. However, additional time is needed to continue and conclude these discussions. Accordingly, Plaintiff and Defendant respectfully jointly request that the stay be extended for an additional 30 days to December 15, 2023, so that the parties can continue their settlement-related efforts. The parties anticipate that this will be the last request for an extension of the stay.

The parties also propose that an update regarding the status of discussions be provided by December 15, 2023. In the event resolution cannot be reached, as discussed during the Initial Conference, the parties anticipate seeking leave to file motions for summary judgment and, if necessary, will address whether discovery should proceed concurrently in any such requests.

Thank you for considering this request.

Respectfully submitted,

/s/ Jennifer Mindlin  
Jennifer Mindlin  
Counsel for Plaintiff

Respectfully submitted,

/s/ Jaimie Ginzberg  
Jaimie Ginzberg  
Counsel for Defendant

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cc: All Counsel (via ECF)